

REMARKS/ARGUMENTS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Office Action provided.

Applicants submit that the instant amendment is proper for entry after final rejection. Applicants note that no question of new matter or any new issue are raised in entering the instant amendment of the claims and that no new search or consideration would be required.

Moreover, Applicants submit that the instant amendment places the application in condition for allowance, or at least in better form for appeal.

Accordingly, Applicants request that the Examiner enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims which have received an examination on their merits.

Upon entry of the above amendments, claims 7, 9 and 14 will have been amended, and claim 13 will have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 1-12 and 14 are currently pending, with claims 1-6 being withdrawn from consideration in a previous Official Action. Applicants respectfully request reconsideration of the outstanding rejections, and allowance of all the claims pending in the present application.

Summary of the Rejections

In the Official Action, the Examiner rejected claims 7, 8, 11 and 12 under 35 U.S.C. § 102(b) as being anticipated by JP 04-139630 (JP '630);

the Examiner rejected claims 7, 8, 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over JP '630 in view of JP 03-198235 (JP '235);

the Examiner rejected claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over JP '630 in view of JP '235, and further in view of one of JP 61-292242 (JP '242) and JP 63-213137 (JP '137);

the Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over JP '630 in view of JP '235, and further in view of JP 08-036786 (JP '786); and

the Examiner rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over JP '630 in view of JP '235, and further in view of at least one of JP 07-282474 (JP '474) and Baecklund (U.S. Patent No. 4,814,198).

#### **Remarks/Arguments**

Without acquiescing to the propriety of the Examiner's above-noted rejections, Applicants have amended independent claims 7, 9 and 14 solely in order to more clearly recite the presently claimed invention and to expedite prosecution of the present application.

In this regard, Applicants submit that, none of the applied prior art, alone or in any properly reasoned combination, discloses at least the combination of features as recited in independent claim 7.

In particular, claim 7 sets forth a laminated optical disc manufacturing method including, inter alia, applying a specific suction force to the center of the first and second substrates while provisionally bonding the substrates.

Applicants submit that the applied prior art, alone or in any properly reasoned combination, fails to disclose at least the above-noted combination of features.

In setting forth the rejection, the Examiner asserts that JP '630 discloses the presently claimed laminated optical disc. More specifically, the Examiner asserts that the presently claimed feature of "locally irradiating" the adhesive layer is the same as applying the UV rays disclosed in JP '630. The Examiner acknowledges that JP '630 does not disclose the presently claimed feature of "applying a suction force."

Nevertheless, the Examiner asserts that JP '786 teaches the aforementioned feature; and therefore, supplies the acknowledged deficiencies of JP '630.

However, contrary to the Examiner's assertions, Applicants submit that the presently claimed method is very different methodically from the method disclosed in JP '786. Initially, Applicants submit that the Examiner has provided no factual evidence to support the assertion that decompressing of the adhesive of JP '786 is the same as the presently claimed feature of applying a suction force. For example, Applicants submit that decompression may merely refer to a release of pressure which does not necessarily result in a "suction" force being applied to an object. Thus, Applicants submit that the Examiner's assertions that JP '786 discloses the presently claimed feature of "applying a suction force" is merely conclusory and unsupported by any factual evidence.

Further, even assuming, arguendo, that the adhesive disclosed in JP '786 can be considered to be equivalent to the presently claimed feature of "applying a suction force," (and Applicants submit that it cannot), JP '786 fails to disclose at least the presently claimed method including applying the suction force "while" (i.e., simultaneously) provisionally bonding the substrates, as generally recited in amended claim 7.

Accordingly, Applicants submit that the rejections of claim 7, as well as dependent claims 8, 11 and 12 (which depend from claim 7), under 35 U.S.C. §§ 102 and 103 are improper, and should be withdrawn.

In regard to the rejection of claim 9, Applicants submit that claim 9 (which has been rewritten into independent form by the present amendment) recites a laminated optical disc manufacturing method, inter alia, inserting a centerer within a common center hole of the superimposed first and second substrates, wherein the centerer comprises at least two contact pins which retractably extend in radial directions and press against an inside circumferential edge of the center hole formed in the superimposed first and second substrates.

Applicants submit that the applied prior art, alone or in any properly reasoned combination, does not disclose at least the above-noted combination of features.

In setting forth the rejection of claim 9, the Examiner asserts that at least one of JP '242 and JP '137 discloses the presently claimed centerer.

However, Applicants submit that contrary to the Examiner's assertions, neither JP '242 nor JP '137 discloses the presently claimed centerer. More specifically, Applicants submit that element 41 of JP '137, which the Examiner considers to be the presently claimed centerer, is merely received in a center pore of the absorption plate 34. Applicants submit that element 41 of JP '137 is clearly axially extending and does not retract in a radial direction (see, for example, Figures 7 and 8 of JP '137).

In regard to JP '242, Applicants submit that this reference merely discloses three measuring terminals 4 positioned within an inner circumferential periphery of an annular sheet 1 (see, for example, Figure 1 of JP '242).

Thus, Applicants submit that neither JP '137, nor JP '242, discloses at least the presently claimed centerer comprising at least two pins which retractably extend in radial directions and press against an inside circumferential edge of a center hole, as generally recited in independent claim 9 (generally corresponding to original dependent claim 9 which has been rewritten into independent form).

In regard to the rejection of claim 14, Applicants submit that claim 14 (which has been rewritten into independent form by the present amendment) recites a laminated optical disc manufacturing method, inter alia, measuring, with a sensor, a thickness of the adhesion layer; and determining whether the thickness is within a tolerance range.

Applicants submit that the applied prior art, alone or in any properly reasoned combination, fails to disclose at least the above-noted combination of features.

In setting forth the rejection of claim 14, the Examiner asserts that at least one of JP '474 and Baecklund discloses the presently claimed feature of measuring the thickness of the adhesion layer.

Contrary to the Examiner's assertions, Applicants submit that JP '474 merely discloses detecting the thickness of the "optical disk" using a detection section 30 (see, for example, the English language Constitution of JP '474), and makes no mention of measuring a thickness of an adhesive.

In regard to Baecklund, Applicants submit that this reference is directed towards measuring the thickness of coatings and not adhesives positioned between substrates, as generally recited in dependent claim 14.

Thus, Applicants submit that none of the applied prior art, either alone or in any properly reasoned combination, discloses at least the presently claimed feature of

measuring, with a sensor, a thickness of the adhesion layer; much less, determining whether the thickness is within a tolerance range, as generally recited in independent claim 14 (which generally corresponds to previously-added dependent claim 9 which has been rewritten into independent form).

Accordingly, Applicants submit that the rejections of independent claims 9 and 14, as well as dependent claim 10 (which depends from claim 9), under 35 U.S.C. § 103 are improper, and should be withdrawn.

In view of the amendments and remarks herein, Applicants submit that independent claims 7, 9 and 14 are in condition for allowance. With regard to dependent claims 8 and 10-12, Applicants assert that these claims are allowable on their own merit, as well as because of their respective dependencies from independent claims 7 and 9, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all pending claims, which have been examined on their merits, in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

### SUMMARY

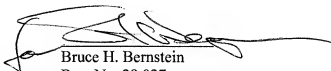
Applicants submit that the present application is in condition for allowance, and respectfully requests an indication to that effect. Applicants have argued the allowability of the claims and pointed out deficiencies of the applied references. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants note the status of the present application as being an after final rejection and with respect to such status believes that there is a clear basis for the entry of the present amendment consistent with 37 C.F.R. § 1.116. Applicants note amendments after final are not entered as a matter of right; however, Applicants submit that the present amendment does not raise the question of new matter. Moreover, the present amendment clearly places the present application in condition for allowance.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Hisaki MIYAMOTO et al.

A handwritten signature in black ink, appearing to read 'Bruce H. Bernstein', with a long horizontal flourish extending to the right.

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